



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Kiik, Matti Examiner: Ahmed, Sheeba
Serial No.: 09/712,399 Art Unit: 1773
Filed: November 14, 2000
For: HEAT REFLECTIVE COATED STRUCTURAL ARTICLE

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TERMINAL DISCLAIMER

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Sir:

ELK PREMIUM BUILDING PRODUCTS, INC., the owner of the entire interest in the instant application, as evidenced by an assignment and a certificate of name change, hereby disclaims the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the

full statutory term, defined in 35 U.S.C. § 154 to 156 and 173, as presently shortened by any terminal disclaimer of commonly owned prior U.S. Patent No. 6,586,353 B1 which issued from U.S. Application Serial No. 09/663,255, filed on September 15, 2000. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,586,353 B1 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,586,353 B1 in the event that U.S. Patent No. 6,586,353 B1: (i) expires for failure to pay a maintenance fee; (ii) is held unenforceable; (iii) is found invalid by a court of competent jurisdiction; (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (v) has all claims canceled by a reexamination certificate; (vi) is reissued; or (vii) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is attorney of record and has the authority to execute this Terminal Disclaimer on behalf ELK PREMIUM BUILDING PRODUCTS, INC.


I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001

of Title 18 of the United States Code and that such willful false statements may
jeopardize the validity of the application or any patent issued thereon.

The terminal disclaimer fee under 37 C.F.R. § 1.20(d) is enclosed.

Respectfully submitted,
BAKER BOTTS L.L.P.

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